



REMARKS

THE CLAIMS

Claims 65 to 87 were pending in this application, claims 65-80 and 86-87 have been canceled, claims 81-85 have been amended, and claims 88-101 added. Accordingly, claims 81-101 remain active in this case. The claims have been amended to comply with the examiner's objections 1 to 8. The amendments to the claims are fully supported by the specification of the parent application as filed, and by the original claims. No objectionable new matter is believed to have been introduced hereby.

THE NEW MATTER REJECTION

Claims 81-84 stand rejected under 35 USC 1.112, first paragraph, allegedly because the claimed invention is not supported by the specification. This rejection is traversed in so far as it relates to the pending claims.

The present claims are fully supported by the specification as filed, and by the original claims. This rejection is, therefore, considered moot.

THE WRITTEN DESCRIPTION REJECTION

Claims 81-83 stand rejected under 35 USC 1.112, first paragraph, allegedly because of lack of written description of the claimed invention. This rejection is traversed.

The examiner is once again in error. The scope of the claimed invention is fully supported by the specification, both generally throughout the description of the preferred embodiments, and more specifically by means of examples. A more thorough reading of the specification could have saved the examiner the effort of a 3-page write up. Various molecules other than immunoglobulins, as well as their fragments as being suitable to target an antibody at a site other than its binding site. The examiner's attention is directed, for example, to a reference that reads as follows:

"The anti-antibody immunoglobulin may be a polyclonal immunoglobulin, protein A or protein G or functional fragments thereof, which may be labeled prior to use by methods known in the art." (underlining added). See, page 43, lines 22-26.

This specific exemplary enumeration by the inventors clearly indicates that the inventors' definition of the term "anti-antibody immunoglobulin is intended as a broad term including any molecules known to serve the required function.

Even 14 years ago, at the time of the original filing of this application it was widely known that there existed molecules that bind different segments of an antibody. The literature

at large, as the examiner should be patently be aware of, widely enables molecules that specifically target other than the antigen binding site of an antibody.

In view of the above, the examiner is invited to withdraw this rejection.

THE VARIOUS ENABLEMENT REJECTIONS

Claims 81-84 stand rejected under 35 USC 112, first paragraph, allegedly due to lack of enablement for various reasons. This rejection is traversed in so far as it is applicable to the pending claims.

The present claims are directed to subject matter that is fully enabled in the specification as filed, and by the original claims. No undue experimentation will be required to practice the claimed invention. The examiner must live in a very uncertain world, given the number of unsupported statements she makes regarding the claimed invention. The examiner states that no data is provided on over-expression of the antigen of the invention in cancer cells, that no teaching is made on how epithelial cells may be detected, and many more.

The fact is that the claimed invention relies on an antigen and antibody pair for binding, and on agents known to bind to antibodies for detection. The examiner's 10+ pages of speculation are just that, sheer speculation that does not amount to even a coherent argument.

The examiner is invited to present any evidence she has that an antigen-antibody pair, and an antibody-binding second agent will not function as described and exemplified by the inventors. Until such time, the applicant believes that the conglomerate of the listed enablement-based rejections is not substantiated. Nor are many of the grounds even applicable to the presently claimed invention.

The examiner is invited to withdraw all of these rejections.

THE TITLE

The title of this application has been amended to reflect the claims pending in this case.

THE GROUP II INVENTION

The examiner indicated that claims 81 to 84 would be examined in this application, whereas claims 65-80 and 86-87 are withdrawn from examination.

Claims 65-80 and 86-87 have been canceled by the applicant.